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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/435,642	11/09/1999	NOBUHITO FUKUI	1614.1006	5484
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21171 7590 03/03/2003

STAAS & HALSEY LLP  
700 11TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20001

EXAMINER

JOSEPH, THOMAS J

ART UNIT

PAPER NUMBER

2174

13

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/435,642

Applicant(s)

FUKUI ET AL.

Examiner

Thomas J Joseph

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2002 and 08 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: . . .

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 8, 9, 15, 16, and 25 - 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Kaply (pat. # 6,215,490) and *Mastering Windows 3.1 Special Edition* by Cowart.

Claims 1, 8, 15, and 25 - 27 are rejected. Kaply teaches window driven software (fig. 5a). This software requires manipulating a display screen and requires computer code that is stored on a computer readable medium. Such a software program requires an information processing apparatus for controlling information on a display screen to operate. The software taught by Kaply requires the presence of a computer readable medium. Further, this software provides instructions for "controlling the display of information on a display screen which, when executed by a machine, causes the machine to perform operations" as cited by the Applicant. Kaply teaches the output of windows equipped with scroll bars wherein the user views icons that are otherwise not displayed unless the user operates the said scroll bar (fig. 5a). Whenever these scroll bars are activated and dragged, "a display on a display screen" changes "from a first display region of a displayed item to a second display region of the display item that is different from the first display region, by a scrolling process" as cited by the Applicant.

Kaply teaches an upward arrow located over the scroll bar (fig. 5a). This upward arrow is typically used as “a return section which returns the display to the said first display region in response to a cancellation of the scrolling process by said scrolling section” as cited by the Applicant.

Kaply fails to disclose a second display region that is different from the first display region. Cowart teaches a second display region that is different from the first display region (p. 23). The various menus being opened by the user is a method for opening a second display region different from the first display region. The opening of a menu contains a type of scrolling. Cowart teaches the automatic return of a display to said first display region in response to a cancellation of the scrolling process (p. 23). The automatic closing of the menus is a method for automatically returning a display to a first display region in response to the canceling or stopping of the scrolling process. It would have been obvious to one with ordinary skill in the art to combine the use of multiple display regions and automatic return of the display taught by Cowart with the scrolling and windowing disclosed by Kaply. Doing so allows the user to instantly return to the original screen after making a selection. This is a method for allowing the user to make a new selection while saving time.

Claim 2, 9, and 16 are rejected. Kaply teaches an example of a single window with a scroll bar (fig. 5a). This teaching translates a window “wherein both said first display region and said second display region are displayed within a single window which is displayed on the display screen” as cited by the Applicant.

3. Claims 3 – 7, 10 – 14, and 17 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaply (pat. # 6,215,490) and *Mastering Windows 3.1 Special Edition* by

Cowart as applied to claims 1, 8, and 15 above, and further in view of Ludolph (pat. # 5,874,958).

Claim 3, 10, and 17 are rejected. Kaply and Cowart fail to teach a “first display region is formed by one window within a multi-window which includes a plurality of windows, and said second display region is formed by another window within said multi-window” as cited by the Applicant. Kaply and Cowart do suggest the need for providing a single window formed by another window. The demonstration of windows in both Kaply and Cowart provides the basis for forming additional windows including the forming of windows within windows. Ludolph teaches a “first display region is formed by one window within a multi-window which includes a plurality of windows, and said second display region is formed by another window within said multi-window” (fig. 4) as cited by the Applicant. The program manager window taught by Ludolph is the multi-window while the “word processing” and “spreadsheet” windows taught herein are the first and second region windows (fig. 4). The larger window (Ludolph, fig. 4, #244E) containing smaller windows is a multi-window. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the a “first display region is formed by one window within a multi-window which includes a plurality of windows, and said second display region is formed by another window within said multi-window” as cited by the Applicant and taught by Ludolph with the multi-window display and scrolling disclosed by Kaply. Doing so allows the user to utilize the desktop within the confines of a large window while preserving remaining screen space for other various functions. Further, these operations enable the user to view any of the various available windows.

Claim 4, 11, and 18 are rejected. Ludolph teaches the placement of borders around the word processing and spreadsheet windows (fig. 4). These borders can be used as the “setting section, which sets a mark indicating said first display region” cited by the Applicant.

Claim 5, 12, and 19 are rejected. The upward arrow suggested or taught by Kaply for returning to the first display region taught in claims 1, 8, and 15 is a method wherein “said return section displays said first display region at a position where said mark is displayed on the display screen” cited by the Applicant.

Claim 6, 13, and 20 are rejected. Kaply teaches placement of one regional window within the multi-window at a front-most position (fig. 5a). This front-most window contains the upward arrow. This arrow is considered the “mark.” The arrow demonstrates the said first display region being “... formed by a window within a multi-window which includes a plurality of windows, said second display region is formed by another window within said multi-window, and said return section displays said first display region at a position where said one window including the mark is displayed at a front-most position on the display screen” as cited by the Applicant.

Claims 7, 14, and 21 are rejected. Kaply displays the upward arrow mark at a position next to the scroll bar (fig. 5a). The scroll bar is a type of cursor used for positioning the displayable region of the window. Demonstrating the scrollbar, Kaply teaches that a “setting section sets the mark at a position of a cursor in said first display region” as cited by the Applicant.

Claims 22 – 24 are rejected. Cowart teaches an information processing apparatus, a display control, and a computer readable method containing instructions causing a machine to

perform deleting the mark (p. 23). When the user makes a selection, the mark at the position of cursor disappears. When this mark disappears, the mark is deleted.

***Response to Arguments***

4. The Applicant responds to the rejection of claims 1, 8, and 15. The Applicant asserts that neither Kaply nor Cowart disclose an automatic returning to the first display region upon cancellation of the scrolling process. The Examiner responds by stating that any selection operation of pull down menu is a method for automatically returning the display to the first display region. Once the selection is made, the scroll process is canceled.

The Applicant responds to the rejection of the rejection of claims 2-7, 9-14, and 16-24. The applicant provides no additional information supporting the withdrawing of the rejection of said claims 2 – 7, 9 – 14, and 16 – 24.

The Applicant asserts the Examiner fails to provide an adequate motivation for combining Ludolf and Kaply. The Examiner responds by stating Kaply and Ludolf both teach that accessing a multiple window environment is a method for accessing multiple software programs simultaneously.

Due to at least the above reasons, the 35 USC 103 rejections of claims 1 – 24 remains standing.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-3917. The examiner can normally be reached on 7:30 am - 4:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

tjj  
February 20, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100